

IDAHO FALLS REDEVELOPMENT AGENCY
P.O. BOX 50220
IDAHO FALLS, IDAHO 83405-0220

November 19, 2009

Regular Meeting
Minutes

Council Chambers

Call to Order: Chair Barnes called the meeting to order at 3:03 p.m.

Members Present: Chair Bob Barnes, Tom Hally, Linda Martin, and Lee Radford

Members Absent: LaMar John and Dave Radford

Also Present: Ryan Armbruster, legal counsel; Renée Magee, executive director; Thane Sparks, treasurer; Mayor Jared Fuhrman; Jan Blickenstaff, grants administrator, Shirley Chastain, Executive Director Idaho Falls Downtown Development Corporation (IFDDC); Greg Crockett, IFDDC; Jeff Nieswanger, Channel Blend, IFDDC; and Donna Carlson, recording secretary.

Minutes: October 15, 2009. Barnes noted the year 2018 should be changed to 2019 in the first paragraph of the second page. **Lee Radford moved to approve the minutes of October 15, 2009, as amended. Motion seconded by Tom Hally. Motion passed.**

Approval of Bills: Chair Barnes presented the finance report dated November 19, 2009. The following bills were presented to be paid: Elam & Burke, \$3,019.50; Harlan Mann, \$584.13; Rudd & Company, \$1,000.00; Elam & Burke, \$478.50. The check for gas reimbursement for Renee Magee was withdrawn and she was asked to resubmit the request with actual miles to be paid at the IRS-approved rate. **Lee Radford moved to approve the bills as read. Motion seconded by Tom Hally. Motion passed.**

Report on *Urban Renewal Agency of Rexburg v. Kenneth W. Hart*: Armbruster recently presented oral argument on this case and expects the case to be decided by March or April of 2010. Armbruster also provided an update on the Nampa case and indicated the final brief was filed yesterday. The Nampa case could be scheduled for oral argument in the spring term but may be deferred until the Rexburg case is decided.

Approval of Note Document for Ball Management: The amended OPA and Resolution for Adoption of the Note approving an additional \$24, 259.00 were presented. Barnes stated he received a call from Derek Ence, counsel for Ball Management. Ence stated they only intend to maintain the landscaping and not the path or public utilities under the path. This matched the objective of the Board. Idaho Falls Parks and Recreation will be asked to send a memo of clarification.

Armbruster explained the amendment to the OPA clarifies the amount of \$129,259 will replace the amount of \$105,000.00 in the OPA. The additional \$24,259 is not allocated to any particular category within the original OPA. Once the maintenance clarification is

received from Parks and Recreation, the change can be added and presented. **Tom Hally moved to table the approval of the Ball Management Note document until the clarification can be written. Motion seconded by Linda Martin. Motion passed.**

Report on Urban Reinvestment Act: Armbruster referred to a letter dated November 2, 2009 from Capital City Development Corporation (CCDC) describing an effort CCDC, in conjunction with Armbruster's office, has been undertaking to rewrite Chapters 20 and 29 of the Idaho Code concerning urban renewal and the Economic Development Act. The urban renewal act has not been substantially changed for over forty years and the Economic Development Act is over twenty years old. The efforts involve modernizing the Acts and responding to some criticisms of the Legislators. The modernization creates a set of guidelines and eligibility criteria that vary depending upon whether the project is downtown urban renewal or true economic development referred to as a green field. Some complaints have been expressed about utilizing the current tools with new economic development. There would be no significant changes to the three existing Idaho Falls plans as long as there are no amendments adding area or additional years. Administrative changes are suggested for existing plans which limit a Mayor and/or City Council member to one for a 3 to 5 member board or two for a board larger than five members. An annual disclosure statement will be mandatory for Commissioners. A requirement is imposed on the urban renewal agency to approve resolutions and appropriation of funds by roll call vote. Agencies will be required to provide certain information to the assessor and Idaho Tax Commission on an annual basis. Term limits as well as shoestring annexations are addressed. The bill does not currently have a sponsor. Rep. Lake from Blackfoot has not made a commitment but is willing to help update the current statutory framework. Comments are being received and a meeting is expected with all urban renewal agencies to go over issues in more detail.

Hally stated the Association of Idaho Cities legislative committee meets December 4, 2009, and Armbruster stated a brief summary will be given at the session. Martin asked if this information has been shared with the Chamber Alliance. An executive summary was provided to the Chamber Alliance and Armbruster will confirm the information has been received.

Discussion of Public Parking and Memorial Drive: Barnes explained there was a recent meeting with Damon Watkins, counsel for Melaleuca, to discuss options for downtown parking. Melaleuca recently completed a parking lot on Capital Avenue but is open to how to provide more parking in the area. Steve Carr and Doug Nelson, adjacent landowners to the new parking lot, are open to contributing land in exchange for parking if the contribution assists with the process of building a parking structure. Barnes believes Melaleuca will study the possibility of underground or surface-level parking with the intention of proceeding with a plan next spring. Splitting the cost of engineering has been requested by Melaleuca. Barnes noted D Street parking has been determined to be the top priority for parking. People perceive a lack of parking downtown and a downtown parking garage will quell the criticism as well as provide for County parking needs.

Lee Radford was not clear about the availability of funds for the project. Barnes mentioned the possibility of leasing a certain number of spaces through the balance of the district's life or putting money toward this project if the project is condominiumized. It is possible the City could participate with parking meter funds. There is an interest by all parties involved and the location is excellent for servicing the downtown merchants, the County, and the City.

Tom Hally believes a parking garage has to be considered a long term solution. Lee Radford stated it is hard to make it a break-even venture regardless of who pays the capital costs of the project. Barnes believes this might be the time to look at the project from a different perspective and, with the momentum Melaleuca could provide, this may be the time for the project to move forward. The location services a wider group of people than the D Street location.

Mayor Fuhrman indicated the project needs to replace parking being lost on Memorial Drive. Barnes noted there are 210 parking spaces on Memorial Drive. Forty-five parking spaces have been moved to the new Department of Motor Vehicles location. The City is contributing 22 parking spaces near the Fire Department, and Legion Drive can also provide 23 parking spaces. From this perspective, if the reallocated spaces are subtracted from 210, approximately 100 additional spaces need to be replaced. Lee Radford noted not all 210 spaces were used by the County and he has been under the assumption the objective is to replace the County spaces. Magee indicated the study showed 107 parking spaces on Memorial were used by the County. Mayor Fuhrman noted the County is asking for all 200 spaces to be replaced and the cost of even half a parking garage is very high. Magee explained it is possible for the Agency to contribute to the construction of a garage by leasing parking spaces until 2018. Another possibility for contribution is condominiumizing the project. Options are being explored to see if the project is affordable. Barnes is seeking input about a shift in emphasis from D Street to this location on Capital. Melaleuca plans to construct a permanent parking facility in the spring of 2010. Mayor Fuhrman wishes the dialog to continue and is in favor of the project if the logistics can be worked out. Alternatives should be considered if this does not come to fruition. The clock is ticking and a decision needs to be formalized. Barnes said ballpark figures can be provided quickly and he expects a decision from Melaleuca this winter. Martin suggested Magee ask the various parties what they need and proceed with determining the numbers from that point.

Hally believes City Council may take some corrective action about free parking downtown. An independent study indicated there is abundant parking downtown and recommended charging for parking. Parking structures and maintenance of parking structures can be met on a competitive basis when there is no competition with free parking. Lee Radford understands the need to look for solutions but does not want to rely on a structure since we do not know if this option will materialize. Lee Radford recalled Dave Radford mentioning a few options such as expansion of the parking lot at the end of Memorial Drive and changes to Legion Drive and Constitution Way. If a parking structure were pursued only to replace the spaces on Memorial, it will be an insurmountable proposition. If that is the expectation, Memorial Drive will likely remain

unchanged. In order to proceed the various parties need to find some middle ground. Barnes asked if Lee Radford favors pursuing the possibility of a parking structure on Capital. Lee Radford answered yes but does not want to rely on it as the only option. Barnes believes high-rise parking will be perceived as community parking rather than a County employee parking lot.

Shirley Chastain said surface parking costs \$13,500 per space. The cost for demolishing and asphaltting two more properties downtown needs to be considered when compared with the cost of a parking structure. In addition, a partnership with Melaleuca will ensure tying into downtown retail. All the property owners are willing to have an open discussion and are considering donating land in exchange for parking within the structure. The location accommodates the County employees, theater attendees, Memorial Drive events, and shoppers. The costs are high but Helena, Montana, is building its fifth parking structure and Chastain believes a parking structure should be possible.

Jeff Nieswanger was asked his opinion and believes the structure will be a great addition to the City of Idaho Falls. Greg Crockett stated this is an important discussion and he is sorry Dave Radford was unable to attend this meeting. If the County were willing to participate possibly by leasing 100 spaces, or half the County requirement, the problem is reduced by half. Courthouses all over the State are all dealing with the same problem. Pocatello, Blackfoot and St. Anthony are acting on courthouse parking burdens and financing employee and visitor parking. Idaho Falls has been dealing with this issue for decades. Lee Radford noted the expectation of free parking makes it harder to move forward. If buildings continue to be torn down for free parking, there will eventually not be a downtown.

Barnes asked Nieswanger about charging for parking at the Saving Center parking lot. Nieswanger answered some of his employees utilize free parking on Memorial but twenty spaces a month are rented. As the density of Idaho Falls increases, the days of free parking will need to change. Downtown business owners need to understand parking should be included as part of the cost of doing business downtown. Some merchants are concerned charging for parking will drive people away. Nieswanger believes the reality is most downtown parking is consumed by employees of downtown businesses who move their cars every two hours. If the employees had to pay for parking it will change the mindset and spaces will be open for people to have closer proximity to visit the merchants. Nieswanger does not believe Idaho Falls will grow without the shift in thinking taking place. A parking structure will not alleviate the problem if people use free parking nearby. Behavior needs to be changed before building something and hoping people will come.

Chastain stated IFDDC has already asked City Council to increase the parking fine downtown from \$5 to \$25 with a \$10 reduction if paid within ten days. A \$5 citation charge is ineffective.

Magee has taken the Memorial Drive concept to engineering to ask if they can turn the concept into a design. Engineering needs some clarification prior to designing Memorial. One of the issues is the owner of the Wackerli apartments contacted Public Works to explain they need Legion Drive to remain open. A right-of-way agent will be handling this issue. The County has also previously mentioned they want to maintain a driveway to Memorial Drive. Hardscape on the west side of Memorial Drive has been discussed because multiple events may create an unattractive lawn since watering has to be curtailed. The public comment indicated a desire for more green and trees and if a hardscape is designed Magee believes public input should be sought. Location and costs of moving power lines needs to be resolved. Another consideration is whether to expand the five foot sidewalk on the greenbelt across from the temple. Due to the issues involved, Magee does not expect a design from engineering within the next two months. More time is needed to work out the issues. Hally indicated other communities deal with events on grass in a manner not necessitating hardscape. Magee asked if grass works with IFDDC future plans in the area. Chastain answered grass works if it can be maintained. The original plan called for a hardscape that costs more initially but reduces long-term maintenance. Magee said IFDDC has suggested blocking off the street for some events, and hardscape was suggested as a way to avoid that option. Chastain believes the color green shown on the plan was intended to convey the area is not street but may have led some public to believe the area will be grass rather than a combination of landscape and hardscape.

Magee agreed with Chastain that buried power lines have always been considered as part of this plan but replied there is an issue with cost. Magee will work on determining the dollar figure associated with the utilities.

Barnes stated there was a work session with City Council to determine if redesigning Memorial Drive is a priority. City Council expressed its interest in getting the project completed, but the original cost of \$1.6 million has been increased with various projects. Prior to asking City Council for a commitment the dollar figures need to be provided.

The meeting adjourned at 4:20 p.m.

Donna Carlson, Recording Secretary